



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1122/4
JTK:eev:jf

DOA:.....Bong, BB0355 - Facility design services provided to agencies by
DOA

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: facility design services for state agencies.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill permits DOA to provide facility design services to state agencies. The bill permits DOA to assess a fee to any agencies for which DOA performs those services. Currently, DOA does not have this authority. The bill also transfers the functions of DATCP, DNR, DOT, and DWD that relate to facility design services to DOA. In addition, the bill transfers to DOA one full-time equivalent position each from DATCP, DNR, DOT, and DWD that currently has primary responsibility for providing facility design services as well as the incumbent employees in these positions.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 16.849 of the statutes is created to read:

16.849 Facility design services for state agencies. The department may provide facility design services to agencies, as defined in s. 16.70 (1e). The department may assess a fee to agencies for which the department performs services under this section.

SECTION 2. 20.505 (5) (ka) of the statutes is amended to read:

20.505 (5) (ka) *Facility operations and maintenance; police and protection functions.* The amounts in the schedule for the purpose of financing the costs of operation of state-owned or operated facilities that are not funded from other appropriations, including custodial and maintenance services; for minor projects; for utilities, fuel, heat and air conditioning; for assessments levied by the department under s. 16.847 (3) for costs incurred and savings generated at departmental facilities; for facility design services provided to agencies under s. 16.849; and for costs incurred under ss. 16.858 and 16.895 by or on behalf of the department; and for police and protection functions under s. 16.84 (2) and (3). All moneys received from state agencies for the operation of such facilities, from parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, ~~all moneys received from assessments under s. 16.895, all moneys received for~~ from the performance of gaming protection functions under s. 16.84 (3), and from the fees assessed under s. 16.849, and all moneys transferred from the appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation account.

SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.

(1) TRANSFER OF FACILITY DESIGN SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of agriculture, trade and consumer protection that are

primarily related to facility design services, as determined by the secretary of administration, shall become assets and liabilities of the department of administration.

(b) *Positions and employees.*

1. On the effective date of this subdivision, 1.0 FED position in the department of agriculture, trade and consumer protection having primary responsibility for facility design services, as determined by the secretary of administration, is transferred to the department of administration and shall become 1.0 PR-S position in the department of administration.

2. The incumbent employee in the position specified in subdivision 1. is transferred on the effective date of this subdivision to the department of administration.

3. The employee transferred under subdivision 2. has all the rights and the same status under subchapter V of chapter 111 of the statutes and chapter 230 of the statutes that the employee enjoyed in the department of agriculture, trade and consumer protection immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the employee has attained permanent status in class immediately before the transfer, the employee is not required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of agriculture, trade and consumer protection that is primarily related to facility design services, as determined by the secretary of administration, is transferred to the department of administration.

(d) *Contracts.* All contracts entered into by the department of agriculture, trade and consumer protection that are primarily related to facility design services, as determined by the secretary of administration, are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Pending matters.* Any matter pending with the department of agriculture, trade and consumer protection that is primarily related to facility design services on the effective date of this paragraph is transferred to the department of administration and all materials submitted to and actions taken by the department of agriculture, trade and consumer protection with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9132. Nonstatutory provisions; Natural Resources.

(1) TRANSFER OF FACILITY DESIGN SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the department of natural resources that are primarily related to facility design services, as determined by the secretary of administration, shall become assets and liabilities of the department of administration.

(b) *Positions and employees.*

1. On the effective date of this subdivision, 1.0 SEG position in the department of natural resources having primary responsibility for facility design services, as determined by the secretary of administration, is transferred to the department of administration and shall become 1.0 PR-S position in the department of administration.

2. The incumbent employee in the position specified in subdivision 1. is transferred on the effective date of this subdivision to the department of administration.

3. The employee transferred under subdivision 2. has all the rights and the same status under subchapter V of chapter 111 of the statutes and chapter 230 of the statutes that the employee enjoyed in the department of natural resources immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the employee attained permanent status in class immediately before the transfer, the employee is not required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of natural resources that is primarily related to facility design services, as determined by the secretary of administration, is transferred to the department of administration.

(d) *Contracts.* All contracts entered into by the department of natural resources that are primarily related to facility design services, as determined by the secretary of administration, are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Pending matters.* Any matter pending with the department of natural resources that is primarily related to facility design services on the effective date of this paragraph is transferred to the department of administration and all materials submitted to and actions taken by the department of natural resources with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9145. Nonstatutory provisions; Transportation.

(1) TRANSFER OF FACILITY DESIGN SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of transportation that are primarily related to facility design services, as determined by the secretary of administration, shall become assets and liabilities of the department of administration.

(b) *Positions and employees.*

1. On the effective date of this subdivision, 1.0 SEG position in the department of transportation having primary responsibility for facility design services, as determined by the secretary of administration, is transferred to the department of administration and shall become 1.0 PR-S position in the department of administration.

2. The incumbent employee in the position specified in subdivision 1. is transferred on the effective date of this subdivision to the department of administration.

3. The employee transferred under subdivision 2. has all the rights and the same status under subchapter V of chapter 111 of the statutes and chapter 230 of the statutes that the employee enjoyed in the department of transportation immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the employee has attained permanent status in class immediately before the transfer, the employee is not required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of transportation that is primarily related to facility design services, as determined by the secretary of administration, is transferred to the department of administration.

(d) *Contracts.* All contracts entered into by the department of transportation that are primarily related to facility design services, as determined by the secretary of administration, are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Pending matters.* Any matter pending with the department of transportation that is primarily related to facility design services on the effective date of this paragraph is transferred to the department of administration and all materials submitted to and actions taken by the department of transportation with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9151. Nonstatutory provisions; Workforce Development.

(1) TRANSFER OF FACILITY DESIGN SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of workforce development that are primarily related to facility design services, as determined by the secretary of administration, shall become assets and liabilities of the department of administration.

(b) *Positions and employees.*

1. On the effective date of this subdivision, 1.0 PR position in the department of workforce development having primary responsibility for facility design services, as determined by the secretary of administration, is transferred to the department of administration and shall become 1.0 PR-S position in the department of administration.

2. The incumbent employee in the position specified in subdivision 1. is transferred on the effective date of this subdivision to the department of administration.

3. The employee transferred under subdivision 2. has all the rights and the same status under subchapter V of chapter 111 of the statutes and chapter 230 of the statutes that the employee enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the employee attained permanent status in class immediately before the transfer, the employee is not required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of workforce development that is primarily related to facility design services, as determined by the secretary of administration, is transferred to the department of administration.

(d) *Contracts.* All contracts entered into by the department of workforce development that are primarily related to facility design services, as determined by the secretary of administration, are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Pending matters.* Any matter pending with the department of workforce development that is primarily related to facility design services on the effective date of this paragraph is transferred to the department of administration and all materials submitted to and actions taken by the department of workforce

development with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(END)